

STATEMENT OF PURPOSE

RS30303C2 / HJM002

On June 24, 2022, the Supreme Court of the United States issued the Dobbs Decision which had the effect of overturning Roe vs. Wade, 410 U.S. 113 (1973). In the Court's written decision, the Court mentioned many times that the issue of abortion belonged in the states for the states to decide.

In Article III of the United States Constitution, Congress is given the power to limit the jurisdiction of the inferior federal courts. Except for the United States Supreme Court, all federal courts are the creation of Congress. Therefore, Congress has the power to limit the jurisdiction of the lower federal courts.

This Joint Memorial requests the Congress of the United States to limit the jurisdiction of the lower federal courts from hearing the cases that relate to state legislative authority to pass laws regarding abortion. Such cases would then be heard in state courts, which would be in accordance with the findings of the Supreme Court as expressed in the Dobbs Decision.

FISCAL NOTE

This legislation would require the Secretary of the Senate to mail copies of this Concurrent Resolution to all members of Idaho's Congressional Delegation and to the Speaker of the House and the President of the Senate of the United States Congress. Related administrative and mailing expenses would be incurred.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).